

Robert Pyke, Consulting Engineer

February 15, 2011

Mr. Phil Isenberg
Chair, Delta Stewardship Council
980 Ninth St. Suite 1500
Sacramento, California 95814

Re: Comments on the First Staff Draft of the Delta Plan

Dear Phil,

I intend to submit more detailed comments on the first staff draft of the Delta Plan before your next council meeting but, since the cover memo written by Joe Grindstaff is likely to be widely reported, I want to draw your immediate attention to the pattern of exaggeration that can be found in the four snippets from the full report that Joe has chosen to highlight. At this point I think it is widely accepted that the Delta and the State's water conveyance system has problems. At this point what is needed from your staff is not more grandiose language but a focus on practical and equitable solutions. Only the last of these four snippets is factually correct, and even it requires clarification.

1. "California's total water supply is oversubscribed. California regularly uses more water annually than is provided by nature." It is true that there are competing demands on California's water supply and that in dry years all these demands cannot be met, but it is much less clear that the total water supply is oversubscribed on a long-term basis. The problem is that not enough water is extracted and stored, whether as ground water or in surface storage facilities, at period of high flow in the rivers so that it can be used during periods of low natural flows.

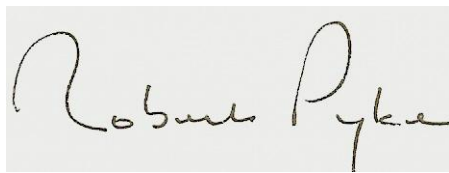
2. "California's water supply is increasingly volatile." I have seen no statistical evidence that supports this contention, in either California or Australia. The fact is that precipitation in both California and Australia has been highly variable for the 100 years or more for which we have records. Again, the problem in California is that the State's plumbing system was never properly designed to accommodate this variability. But it could be reconfigured to do this.

3. "Even with substantial ecosystem restoration efforts, some native species may not survive." The cover memo goes on to say: "Best available science indicates that some stressors are beyond our control and the system may have already changed so much that some species may never be able to recover". This is not "best available science". This is a speculation by one group of, admittedly very well-qualified, academics, but it is a speculation, it isn't

science. It is a not unreasonable speculation in my judgment because it does not say “will not survive”, it just says “may not survive”, but this is highly charged language relative to the granting of incidental take permits and should not be bandied about without qualification.

4. “There is no comprehensive state or regional emergency response plan for the Delta.” This statement would be much improved by the inclusion of “at present” after “there is”. I know that the presentation to the Council by the folks that are working on developing such plans was less than impressive, but the body of the staff report acknowledges that work is under way in response to SB 27. It would be more helpful to urge the speedy completion of that work or to make specific suggestions to speed its completion.

Sincerely,

A handwritten signature in black ink on a light gray background. The signature is written in a cursive style and reads "Robert Pyke".

Robert Pyke, Ph.D., G.E.